

Guidance 7

State Mental Health Treatment Facility Admission and Discharge Processes

Contract Reference: Sections A-1.1, A.1.1.2, C-1.2.3, and C.1.2.6

Frequency: Ongoing

Due Date: N/A

I. Authority

Chapter 394, F.S.

Chapter 916, F.S.

Rule 65E-4.014, F.A.C.

Chapter 65E-5, F.A.C.

Chapter 65E-20, F.A.C.

Children and Families Operating Procedures (CFOP) 155-13, 16, 17, 19, 22, 38, 48, 64

II. Managing Entity Responsibilities

In accordance with Chapter 394.4573 FS, the Managing Entity shall subcontract with Network Service Providers to deliver case management services for each civil resident of a state mental health facility whose county of residence falls within the Managing Entity's geographic service area. These services may be delivered by a community service manager, case manager, a Florida Assertive Community Treatment (FACT) team, or other designated staff from a contracted community network service provider.

- A.** Have been adjudicated incompetent to proceed (ITP) or
- B.** Have been adjudicated not guilty by reason of insanity (NGI) due to mental health issues.

The Managing Entity shall include subcontract requirements mandating that Network Service Providers complete the following activities for individuals transitioning into or out of SMHTF. The Managing Entity will be responsible for monitoring the Network service Providers' compliance with these requirements. The Network Service Providers shall:

- A.** Maintain an open case for the individuals throughout their residency in an SMHTF.
- B.** Participate in monthly reviews of the recovery team plan.
- C.** Participate in monthly reviews of the recovery plan.
- D.** Maintain contact with the SMHTF at least monthly regarding the individuals' status. This contact may occur via email or during virtual/in person treatment team meetings.
- E.** Maintain communication with the individual's family, in accordance with Chapter 394.9082(5)(r) F.S.
- F.** Share relevant information with the SMHTF staff,
- G.** The Managing Entity will be responsible for identifying appropriate housing and community-based services, submitting the following up on housing referrals, and coordinating efforts with contracted services providers. Conduct a face-to face meeting with the individual in the community or jail within two business days

following their discharge from the facility.

The Managing Entity shall ensure coordination between the Network Service Provider and the Social Security Administration occurs within 5 business days of an individual's discharge from the SMHTF, when the individual is discharging with active or pending benefits, to support timely activation of benefits.

Additionally, the Managing Entity shall make every effort to ensure that the following priority individuals are eligible for and receive case management or intensive care management services, as clinically indicated:

- A. Individuals awaiting admission to a SMHTF.
- B. Individuals currently residing in a SMHTF regardless of admission date.
- C. Individuals transferring between regions who were previous receiving case management or other services. (put in rules of the circuit transfer form).
- D. Individuals who are incarcerated, at risk of incarceration, or at risk of institutionalization due to mental health conditions.
- E. Individuals discharged from a SMHTF.
- F. Individuals with one or more prior admissions to a Crisis Stabilization Unit (CSU), Short-Term Residential Facility (SRT), inpatient psychiatric unit, or mental health residential treatment facility.
- G. Individuals who have resided in a facility at any time within the past 36 months.
- H. Individuals residing in the community who have had two or more facility admissions within the past 36 months.

III. CONTINUITY OF CARE

A. Admission to a SMHTF

1. Civil SMHTF

The Managing Entity shall ensure Network Service Providers comply with Rule 65E-5.1301, F.A.C. The Managing Entity shall

- a. Ensure the community case manager, or other assigned community behavioral health staff members are assigned to each resident within 3 business days of admission to the SMHTF and that the contact information is provided to the identified staff at the SMHTF.
- b. Ensure all information required to assist with the individual's treatment is provided by the community case manager to the SMHTF.
- c. Conduct pre-admission calls with civil facilities for individuals on the waiting list to exchange pertinent information.
- d. Review the civil admission waiting list at least monthly to identify opportunities to divert individuals who may be more appropriately served in a less restrictive community setting.
- e. Conduct discussions with mental health receiving facilities for individuals on the civil admission waiting list for over 60 days to assess continued need for facility-level treatment and explore potential diversion to community-based placements.
- f. Ensure that all mental health receiving facilities receive annual training on available community resources.
- g. Ensure that mental health receiving facilities notify the designated facility staff via email within 1 business when an individual is diverted from facility admission and no longer requires placement on the civil admission waiting list.

- h. Report civil diversions to the SAMH Regional Office on a monthly basis.

2. Forensic SMHTF

The Managing Entity shall ensure that subcontracted Network Service Providers adhere to the following requirements:

- a. Ensure that the Forensic Specialist or Forensic Case Manager fully explores all post-commitment diversion options in accordance to with CFOP 155-38, which outlines procedures for diverting individuals adjudicated Incompetent to Proceed (ITP) or Not Guilty by Reason of Insanity (NGI).
- b. Ensure that a Forensic Specialist or Forensic Case Manager is assigned to each resident within 3 business days of admission to the SMHTF and that their contact information is promptly shared with the designated SMHTF staff.
- c. Ensure that all information necessary to support the individual's treatment is provided by the Forensic Specialist or Forensic Case Manager to the designated SMHTF staff.

B. Discharge Planning Process while at SMHTF

1. Civil SMHTF

The Managing Entity shall ensure subcontracted Network Service Providers:

- a. Comply with the standards established in CFOP 155-17, Guidelines for Discharge of Residents from a SMHTF to the Community and CFOP 155-16, Recovery Planning and Implementation in Mental Health Treatment Facilities,
- b. Collaborate with SMHTF facility staff to:
 - Develop a comprehensive recovery plan
 - Ensure contracted forensic specialist assist in locating housing and support services for forensic residents actively seeking placement within the community
- c. Maintain at least monthly contact with the SMHTF social services staff, and
- d. Ensure Forensic Specialists/Forensic Case Managers and SMHTF social services staff:
 - Participate in **all recovery plan reviews**.
 - Conduct **quarterly visits** to individuals at the SMHTF.
 - Remain actively involved in the discharge process.
 - Collaborate with the SMHTF recovery teams to identify appropriate living environments and necessary community services that will support the individual's level of need.

2. Forensic SMHTF

The Managing Entity shall ensure subcontracted Network Service Providers:

- a. Comply with the standards established in CFOP 155-22, Leave of Absence and Discharge of Residents Committed to a SMHTF Pursuant to Chapter 916, F.S.
- b. Collaborate with the forensic SMHTF facility staff to develop a recovery plan and ensure the forensic specialist or forensic case manager locates housing and services for forensic residents who are actively seeking return to the community on conditional release or with aftercare conditions.
- c. Ensure a sufficient number of Network Service Providers are designated as forensic specialists or forensic case managers.
- d. Ensure the forensic specialist or forensic case manager will participate in all reviews of the recovery plan and visit individuals at the SMHTF at least quarterly; shall be actively involved

in the discharge process; and shall collaborate with the SMHTF recovery teams in finding a living environment and identifying community services that will support the level of need.

- e.** Assist the SMHTF and appropriate court personnel in the development of conditional release plans and comply with the Forensic Mental Health Service Model.
- f.** Provide information to the courts and the attorneys pertaining to the individual's treatment in the SMHTF, as requested.
- g.** Ensure services recommended by the forensic specialist or forensic case manager and SMHTF recovery team are available and accessible when resident is returned to the community by way of direct discharge from the SMHTF or release from jail.